

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: FINANCE, PERSONNEL & HIGHER EDUCATION

DATE: SEPTEMBER 1, 2016

COMMITTEE MEMBERS PRESENT:

SUPERVISORS CONOVER
SEEBER
SOKOL
SIMPSON
MERLINO
DICKINSON
GIRARD
FRASIER
BEATY
MCDEVITT
BRAYMER

OTHERS PRESENT:

KEVIN GERAGHTY, CHAIRMAN OF THE BOARD
BRIAN REICHENBACH, COUNTY ATTORNEY
REPRESENTING THE OPEN DOOR SOUP KITCHEN:
KIM COOK, DIRECTOR
AMANDA ALLEN, CLERK OF THE BOARD
FRANK THOMAS, BUDGET OFFICER
SUPERVISORS LEGGETT
MACDONALD
MONTESI
WOOD
JOANN MCKINSTRY, ASSISTANT TO THE COUNTY ADMINISTRATOR
MIKE SWAN, COUNTY TREASURER
JACKIE FIGUEROA, COUNTY HUMAN RESOURCES DIRECTOR
PATRICIA NENNINGER, PERSONNEL OFFICER
MARCY FLORES, PUBLIC DEFENDER
DEANNA PARK, DIRECTOR, COUNTRYSIDE ADULT HOME
JEFFERY TENNYSON, SUPERINTENDENT OF PUBLIC WORKS
TRAVIS WHITEHEAD, TOWN OF QUEENSBURY RESIDENT
DON LEHMAN, *THE POST STAR*
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

Please note, the following contains a summarization of the September 1, 2016 meeting of the Finance, Personnel & Higher Education Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <http://www.warrencountyny.gov/gov/comm/Archive/2016/finance/>

Mr. Conover called the meeting of the Finance, Personnel & Higher Education Committee to order at 9:01 a.m.

Motion was made by Mr. Sokol, seconded by Mr. McDevitt and carried unanimously to approve the minutes of the previous Committee meeting, subject to the correction by the Clerk of the Board.

Copies of the meeting Agenda were distributed to the Committee members and a copy of same is on file with the meeting minutes.

Commencing the Agenda review, Mr. Conover offered privilege of the floor to Kim Cook, *Director, The Open Door Soup Kitchen*, who distributed a handout which provided an overview of The Open Door's expansion project, a copy of which is on file with the minutes. Ms. Cook stated that the total cost of the expansion was projected to be \$5.5 million of which \$3.3 million would be covered by grant funding. She explained the remaining balance of \$1.75 million would be raised through community support and she requested funding assistance from the County for the Project.

A discussion ensued following which it was determined that Ms. Cook would submit a formal request for funding to the Budget Officer and County Administrator.

Mr. Simpson entered the meeting at 9:05 a.m.

Proceeding with the Agenda review, Mr. Conover offered privilege of the floor to any SUNY Adirondack representatives wishing to address the Committee. There being no SUNY Adirondack representatives present, Mr. Conover offered privilege of the floor to anyone present wishing to address the Committee

on any matter.

Travis Whitehead, *Town of Queensbury resident*, informed that the County frequently received funding requests such as the one from The Open Door but had limited ability to provide funds; however, he noted, the \$1.75 million The Open Door required was set aside in the County Budget to pay for the Siemens Energy Savings Contract on the Municipal Center Building. He mentioned a \$4.7 million judgement was issued earlier this month against Siemens in Monticello, Arkansas relating to a contract they had with the City which was similar to the one on the Municipal Center Building. He remarked he believed the County was justified in withholding the \$1.75 million payment to Siemens and allocating it to other areas such as The Open Door Project, the NSTEM (*Nursing, Science, Technology, Engineering, Mathematics*) Project at SUNY (*State University of New York*) Adirondack, etc. He added an additional \$4 million could be due to the County, as well, should they decide to pursue a lawsuit against Siemens for the Co-Gen Plant at the former Westmount Health Facility. He suggested they review the Monticello, Arkansas case thoroughly, as he believed it had useful information which was relevant to their contract with Siemens. He stated he had forwarded the information to Chairman Geraghty and Brian Reichenbach, *County Attorney*, concerning the case. He commented he felt the Board would not be carrying out their duties if they did not take a thorough look at the information and get opinions from someone other than a lawyer who did not appear to have any interest in seeing this matter move forward.

Mr. Conover requested that Mr. Reichenbach forward the information Mr. Whitehead referred to the full Board for review and provide a timeline for the review of the Energy Performance Contract as soon as one was available.

A discussion ensued.

Continuing to Agenda Item 1, Mr. Conover called for a motion to approve the request for transfers of funds as attached for Committee approval. The motion was made by Mr. Dickinson, seconded by Mr. McDevitt and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

Moving on to Agenda Item 2A, Mr. Conover apprised the report on tracking of salary implications for positions filled since the last Committee meeting was included in the Agenda packet for review.

Privilege of the floor was extended to Patricia Nenninger, *Personnel Officer*, to review Agenda Item 2B. Ms. Nenninger advised Agenda Item 2B pertained to a request for transfer of funds in the amount of \$2,000 from Budget Code A.1430 130, *Civil Service, Salaries - Part Time*, to Budget Code A.1430.120, *Civil Service, Salaries-Overtime*, to cover overtime for testing dates through the end of 2016.

Ms. Nenninger stated that due to the substantial number of tests occurring, as well as the training her new staff members required, additional funds were required to cover overtime costs through the end of the year.

Mr. Conover commended Ms. Nenninger for her efforts and said he felt the testing was imperative, as it prevented the need for provisional appointments which could be problematic.

Motion was made by Mr. Dickinson, seconded by Mr. Sokol and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

Mr. Conover advised Agenda Item 3 consisted of a request from the County Treasurer to extend the existing contract with Environmental Capital LLC for financial advisory services for bonds authorized by Warren County, as previously authorized by Resolution No. 100 of 2014, for an additional three-year

term commencing January 1, 2017 and terminating December 31, 2019.

Mike Swan, *County Treasurer*, stated that he had been pleased with the services thus far. He pointed out Environmental Capital LLC charged the County a flat fee versus a percentage of the total bond which was what the majority of fiscal advisors charged.

Motion was made by Mr. Simpson, seconded by Mr. Merlino and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

Mr. Swan informed that the initial indication of the bond review from Standards & Poor's was that the County rating would improve slightly which could result in savings.

Moving along, Mr. Conover apprised Agenda Items 4A-D pertained to the following referrals from the County Facilities Committee:

- 4A) *Airport*- Request to amend the County Budget in the amount of \$42,408.18 for reimbursement to the County for the share of natural gas installation costs by Schermerhorn Commercial Holdings and ESMI.

Motion was made by Mr. Dickinson, seconded by Mr. Merlino and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

- 4B) *Airport*- Request to authorize closure of the following capital projects and to return any remaining funds to the funding source, as follows;
- H309, *Runway 1 RSA Wetland Mitigation*, return \$34.57 to General Fund
 - H311, *PAPI Installation Runway 12-30* return \$71.44 to General Fund
 - H336, *Airfield Guidance Sign Replace*, return \$1,500 to Reserve, Airport Repair & Projects
 - H326, *ARFF Building Expansion*, return \$21.01 to General Fund.

Motion was made by Mr. Simpson, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

- 4C) *Airport*- Request to increase Capital Project H339, *Land/Easement Acquisition Runway 12 & 19*, in the amount of \$200,000 for the acceptance of FAA grant funds received.

Motion was made by Mr. Dickinson and seconded by Mr. Simpson to approve the request.

Ms. Braymer questioned whether the funds had been received and Chairman Geraghty replied in the affirmative.

A discussion ensued following which Mr. Conover called the question and the motion was carried by majority vote, with Ms. Seeber and Mr. Beaty voting in opposition, to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

- 4D) *Buildings & Grounds*- Request for appropriation of funds totaling \$120,000 from the general fund unappropriated surplus for milling and paving of the employee parking lot at the Municipal Center and abatement and renovation of the old jail kitchen.

Motion was made by Mr. Simpson and seconded by Mrs. Frasier to approve the request.

Ms. Braymer stated she was hesitant to approve the request, as she would prefer to see the funds allocated towards the Public Defenders request for a new position, as referenced in Agenda Item 5A, rather than paying to pave a parking lot. Mr. Thomas pointed out that this request was a one-time

expense whereas the request from the Public Defender was a reoccurring expense.

A discussion ensued following which Mr. Conover called the question and the motion was carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

- 4E) *Buildings & Grounds*- Request to appropriate \$50,740 from the unappropriated fund balance for the purchase of eight Rolloff Containers.

Motion was made by Mr. Simpson, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

Mr. Conover apprised Agenda Items 5A-C pertained to the following referrals from the Criminal Justice & Public Safety Committee:

- 5A) *Public Defender*- Request to create and fill the new position of Assistant Public Defender #7, *Annual Salary \$45,000*, effective September 19, 2016 as well as to amend the Departmental Table of Organization and Salary Schedule accordingly. If approved, a source of funding will need to be identified for this position as there are no monies available in the existing Public Defender Budget to support the cost.

Motion was made by Ms. Braymer and seconded by Mr. Dickinson to approve the request.

Marcy Flores, *Public Defender*, expressed the request for an additional staff member was due to the requirement that a Public Defender be present at all arraignments. She stated she had provided the Criminal Justice & Public Safety Committee with a handout that contained the updated statistics of arraignments from March – July 2016 and the percentage of increase in the work load for her office over the past year. She informed there was no grant funding for additional personnel and she did not have the monies in her budget.

A lengthy discussion ensued following which Ms. Braymer amended her motion and Mr. Dickinson amended his second to identify the funding source for the Assistant Public Defender #7 position for the remainder of the year as being the general fund unappropriated surplus. Mr. Conover called the question and the motion was carried by majority vote with Ms. Seeber voting in opposition to approve the request as outlined above and the necessary resolutions were approved for the September 16th Board Meeting.

- 5B) *Sheriff*- Request to amend the 2016 County Budget in the amount of \$1,602.98 to reflect the receipt of insurance recovery monies.

Motion was made by Mr. Simpson, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

- 5C) *Sheriff*- Request to amend the Table of Organization and Salary Schedule to reclassify the position of Cleaner, *Annual Salary \$30,480*, to a Custodian, *Annual Salary \$36,151.09*, effective September 19, 2016.

Ms. Nenninger outlined the request and explained why the position was changing from a competitive to a non-competitive position in association with the duties that were being performed.

Motion was made by Mr. Dickinson, seconded by Mr. Simpson and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

Mr. Conover reported Agenda Items 6A-E pertained to the following referrals from the Health, Human & Social Services Committee:

- 6A) *Countryside Adult Home* - Request for a transfer of funds in the amount of \$6,000 from the Contingent Account to Budget Code A.6030 260, *Countryside Adult Home, Other Equipment*, to cover the cost of the installation of new piping for the boiler at Countryside Adult Home due to unforeseen expenses associated with the original boiler installation project.

Motion was made by Mr. Sokol, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

Mr. Conover noted that Agenda Item 6B concerned a request to amend the Table of Organization and Salary Schedule by the Department of Social Services which was subsequently withdrawn.

- 6C) *Employment & Training Administration*- Request to amend the 2016 County Budget in the amount of \$38,956 to reflect the receipt of Federal Trade Adjustment Act funding for the training of dislocated workers.

Motion was made by Mrs. Frasier, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

- 6D) *Mental Health*- Request to amend the 2016 County Budget in the amount of \$55,599 to transfer funds for a new contract with the Addictions Care Center of Albany, Inc. for the term October 1, 2016 - December 31, 2016.

Motion was made by Mr. Simpson, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

- 6E) *Mental Health*- Request to amend the 2016 County Budget in the amount of \$343 to reflect the receipt of cost of living adjustment (COLA) funds from the New York State Office of Alcoholism and Substance Abuse Services.

Motion was made by Mr. Simpson, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

Continuing with the Agenda Review, Mr. Conover reviewed Agenda Item 7 which pertained to a referral from the Park Operations & Management Committee concerning a request to appropriate funding in the amount of \$3,809.42 from Budget Code A691.07, *Deferred Revenue Gaslight Village Parking Fees*, to Budget Code A.1625 413, *Gaslight Village Property, Repair & Maintenance*, and authorize reimbursement to the Village of Lake George for maintenance costs associated with the Gaslight Village Property Village Property.

Motion was made by Mr. Merlino, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

Mr. Conover advised Agenda Items 8A-C pertained to the following referrals from the Public Works Committee, DPW:

- 8A) Request to delete the position of Automotive Mechanic #6, *Grade 9, Annual Base Salary \$33,367*, and create the new position of Motor Equipment Operator Medium #26, *Grade 7, Annual Base Salary \$30,959*, effective September 19, 2016, as well as to amend the Departmental Table of Organization and Salary Schedule accordingly.

Motion was made by Mr. Simpson, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

- 8B) Request to authorize enrollment in job-related courses: Maja Tlokinska-Scroggins, to enroll in "Advanced Bookkeeping Applications; Principals of Economics I; and Mathematical Functions"

(Intro to Public Speaking course removed) courses at SUNY Adirondack (Course Term: September 2016 - December 2016; Cost: \$2,024.50. If this request is approved, Ms. Tlokinska-Scroggins will be due reimbursement of 50% of course costs upon completion with a grade of "C" or better. *Note: This item was tabled at the June 30th meeting of the Finance, Personnel & Higher Education Committee. The "Intro to Public Speaking" course was removed from this request when approved at the last meeting of the Public Works Committee.*

Motion was made by Ms. Braymer and seconded by Mr. Merlino to approve the request.

Mr. McDevitt voiced his concern that the Intro to Public Speaking Course had been removed from the request, as he felt it was relative to the degree program.

A lengthy discussion ensued following which Mr. Conover called the question and the motion was carried by majority vote, with Ms. Seeber, Ms. Braymer and Mr. McDevitt voting in opposition, to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

Mr. Girard entered the meeting at 9:53 a.m.

Mr. McDevitt stated he felt it was imperative for him to clarify the reason he voted in opposition of the aforementioned request related to the fact that he felt the employee should be permitted to enroll in the Intro to Public Speaking Course. A discussion ensued regarding the policy pertaining to enrollment of job-related courses.

- 8C) Request to increase Capital Project No. H366, *West Mountain Road (CR 58) Preservation Project*, in the amount of \$698,118 to allocate Federal and State funds for the construction phase of the project in accordance with the State-Local Agreement with NYSDOT and return excess local match funds to the funding source.

Motion was made by Mr. McDevitt, seconded by Mr. Simpson and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

Privilege of the floor was extended to Chairman Geraghty as the Acting County Administrator to address Items 9A-C, Requests/Items to be discussed by the County Administrator, as follows:

- 9A) Journal Report of transfers approved by County Administrator staff since the last meeting.

Chairman Geraghty announced this was a review of the transfers for the Committees consideration and no action was required.

- 9B) Reimbursement to Brian LaFlure, *Fire Coordinator/Director of the Office of Emergency Services*, in the amount of \$2,125.80 for items purchased for the OES command vehicle.

A motion was made by Ms. Braymer and seconded by Mr. Girard to approve the request.

Chairman Geraghty advised that Mr. LaFlure had purchased some items for the command vehicle utilizing his personal credit card which was against the County's Credit Card Policy. He said he had notified Mr. LaFlure that going forward he was required to use a County credit card to make purchases such as this.

A discussion ensued following which Ms. Braymer amended her motion and Mr. Girard amended his second to adjust the reimbursement amount from \$2,125.80 to \$2,121.00 to approve the reimbursement amount shown on the resolution request form which deducted sales tax and the motion was carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

9C) Appointment of a Director for the Office of Emergency Services.

Mr. Sokol advised he was pleased to report that Deanna Park was selected to be appointed to the vacant position of Director of the Office for the Aging. He said due to this appointment they would commence a search for a new Director for Countryside Adult Home, the position Ms. Park would be vacating. He requested a motion to appoint Ms. Park to the position at an annual salary of \$62,000. The necessary motion was made by Mr. Dickinson and seconded by Mr. Girard.

Mr. Conover expressed his pleasure with the appointment and he recognized Ms. Park as one of the most dedicated, hard working County employees he had the privilege of working closely with.

Mr. Sokol apprised that Ms. Park would be providing assistance to Countryside Adult Home through the transition process until a new Director was hired and formally trained.

Mr. McDevitt pointed out that no effective date had been determined. Mr. Dickinson amended his motion and Mr. Girard amended his second to include the effective for the appointment of September 19, 2016. Mr. Conover called the question and the motion carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

Privilege of the floor was extended to Mr. Reichenbach to discuss Agenda Item 10 which pertained to a request to amend Resolution No. 338 of 2016, *Authorizing Supplemental Agreement No. 1 with Clark Patterson Lee to add Construction Inspection Services for the CR31 & CR13 County Bridge Painting Project*, to include reference to prior Resolution No. 294 of 2015 which adjusted the aggregate total for the supplemental agreement with Clark Patterson Lee.

Mr Reichenbach stated that an amendment was required in order to include a reference to Resolution No. 294 of 2015.

A discussion ensued following which a motion was made by Mr. Simpson, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

Proceeding to the Pending Item Section of the Agenda, Mr. Conover apprised he would like to discuss No. 2 which concerned a referral from the Health, Human & Social Services Committee, *Countryside Adult Home*, to amend Resolution No. 267 of 2015 to state that Countryside Adult Home will pay time and one half to per diem employees who work a holiday, any hours over eight (8) each shift, or any hours over forty (40) per week, which was tabled at the July 29, 2016 meeting of the Finance, Personnel & Higher Education Committee.

Chairman Geraghty stated that the Payroll & Rules group had recommended that the request be approved, as it was justified on the part of Countryside Adult Home.

Motion was made by Mr. Dickinson, seconded by Mr. Simpson and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

In regards to Pending Item No. 1, relating to Proposed Resolution No. 146 of 2016, *concerning salary adjustments for Deputy Department Heads when filling in for a Department Head vacancy*, which was tabled at the March 18th Board Meeting and referred back to the Finance, Personnel & Higher Education Committee for review and revision, Chairman Geraghty stated he believed the request could be removed from the list of pending items and discussed during the budget process.

A discussion ensued following which the consensus of the Committee was for the matter to remain on the listing of pending items.

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Privilege of the floor was extended to Jeffery Tennyson, *Superintendent, Department of Public Works*, who presented a request which had not been included on the Agenda for transfer of funds in the amount of \$15,000 from Budget Code D.5112.8220 280, *County Roads, CR.#16 East River Drive*, to Budget Code D.5112.8250 280, *County Roads, CR#16 Bay Road*, to account for additional work that was not anticipated.

Motion was made by Mr. Dickinson, seconded by Mr. Simpson and carried unanimously to approve the request and the necessary resolution was authorized for the September 16th Board Meeting.

Concluding the agenda review, Mr. Conover noted Section VI. of the agenda included a listing of the vacancies approved for filling by the various oversight Committees since the last Finance, Personnel & Higher Education Committee meeting.

There being no further business to come before the Finance, Personnel & Higher Education Committee, on motion made by Mr. Simpson and seconded by Mr. McDevitt, Mr. Conover adjourned the meeting at 10:11 a.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board